

9/F

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

-----X  
JOHN EMANUELE,

Plaintiff,

-against-

**ORDER**

**17-CV-6426 (NGG) (SJB)**

RANCH FOR KIDS, INC.,

Defendant.  
-----X

NICHOLAS G. GARAUFIS, United States District Judge.

Before the court is Magistrate Judge Sanket J. Bulsara's sua sponte report and recommendation ("R&R") that the court dismiss this case without prejudice due to Plaintiff's failure to timely serve Defendant or to show good cause for the delay. See Fed. R. Civ. P. 4(m). (R. & R. (Dkt. 11).) Because Plaintiff did not object to the R&R within fourteen days after it was served on him, the court reviews the R&R only for clear error. See 28 U.S.C. § 636(b)(1)(C); Fed. R. Civ. P. 72(b)(2); Trs. of Metal Polishers Local 8A-28A Funds v. Prestige Restoration & Maintenance, LLC, 986 F. Supp. 2d 159, 164-65 (E.D.N.Y. 2013). The court finds no clear error in Judge Bulsara's determination that Plaintiff had not demonstrated good cause warranting the extension nunc pro tunc of his time to effectuate service on Defendant.

Accordingly, the court ADOPTS the R&R in its entirety. Plaintiff's complaint is  
DISMISSED WITHOUT PREJUDICE.

SO ORDERED.

Dated: Brooklyn, New York  
May 14, 2018

s/Nicholas G. Garaufis  
~~NICHOLAS G. GARAUFIS~~  
United States District Judge